

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ballard, *et al.*

Serial No.: 09/610,061

Examiner: UNASSIGNED

Date Filed: July 5, 2000

Group: 2741

For: SPEECH RECOGNITION CORRECTION FOR DEVICES HAVING
LIMITED OR NO DISPLAY

PETITION TO REMOVE CO-INVENTOR UNDER 37 C.F.R. 1.48(a)

Commissioner for Patents
Box Fee Amendment
Washington, DC 20231

RECEIVED

OCT 10 2001

Technology Center 2600

Sir:

After careful review of the claims in U.S. Patent Application No. 09/610,061, and pursuant to 37 C.F.R. § 1.48(a), the undersigned hereby requests that Charles Rutherford be removed as a co-inventor from U.S. Patent Application No. 09/610,061. As mandated by 37 C.F.R. § 1.48 (a), enclosed please find a statement of lack of deceptive intent, a new oath executed by the actual inventors, the written consent of the assignee, and a check in the amount of \$130.00.

The application at issue was filed on July 5, 2000, and listed Barbara E. Ballard, James R. Lewis, Kerry A. Ortega, Charles Rutherford, Ronald E. VanBuskirk, and Huifang Wang as co-inventors. It was subsequently determined that Charles Rutherford was inadvertently added to the Declaration and Power of Attorney for U.S. Patent Application No. 09/610,061. This mistake in inventorship occurred without any deceptive intent on the part of Applicants or patent counsel.

It should be noted that U.S. Patent Application No. 09/610,061 has been assigned to International Business Machines Corporation of Armonk, New York. This assignment was recorded on July 5, 2000, at Reel 010916, Frame 0425. Accordingly, a statement under 37 C.F.R. 3.73(b) including written consent from the assignee has been attached hereto.

#2
J. Daner
10-24-01

PETITION TO REMOVE CO-INVENTOR UNDER 37 C.F.R. 1.48(a)
U.S. Patent Application No. 09/610,061

WHEREFORE, Applicants respectfully request that Charles Rutherford be removed as a co-inventor from U.S. Patent Application No. 09/610,061.

Date: 9/28/01

Kevin T. Cuenot
Gregory A. Nelson, Reg. No. 30,577
Kevin T. Cuenot, Reg. No. 46,283
Steven M. Greenberg, Reg. No. 44,725
AKERMAN SENTERFITT
222 Lakeview Avenue, Suite 400
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000

Docket No. 6169-103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Ballard, *et al.*

Serial No.: 09/610,061

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Date Filed: July 5, 2000

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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to the
Commissioner for Patents, Washington, D.C. 20231, on __________
Kevin T. Cuenot, Esq. Reg. No 46,283STATEMENT OF LACK OF DECEPTIVE INTENTCommissioner for Patents
Box Fee Amendment
Washington, DC 20231

Sir:

I hereby declare that I did not willfully or with deceptive intent include my name
as co-inventor of above-identified patent application at the time of initial filing.

Dated: 8/6/01

Charles Rutherford

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3
B. Davis
10-24-01

In re Application of Ballard, et al.

Serial No.: 09/610,061

Examiner: UNASSIGNED

Date Filed: July 5, 2000

Group: 2741

For: SPEECH RECOGNITION CORRECTION FOR DEVICES HAVING
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STATEMENT UNDER 37 C.F.R. 3.73(b)

International Business Machines Corporation, a corporation of New York, is the Assignee of the entire right, title, and interest in the above-identified patent application by virtue of an assignment from the inventors. The assignment was recorded in the United States Patent and Trademark Office at Reel 010916, Frame 0425, on July 5, 2000. A copy of the Notice of Recordation of Assignment document and the assignment have been attached hereto.

The undersigned is authorized to act on behalf of International Business Machines Corporation and consents to the requested inventorship correction removing Charles Rutherford as a co-inventor from the above-identified patent application.

10 October 2001
Date

Jeffrey L. Forman
Signature
Jeffrey L. Forman
Typed or printed name

Program Manager, Patent Office Liaison
Title

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SPEECH RECOGNITION CORRECTION FOR DEVICES HAVING LIMITED OR NO DISPLAY

the specification of which (check one)

 X is attached hereto.

 was filed on
under Attorney's Docket Number
as Application Serial No.
and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number) (Country) (Filing Date)

 Yes No

(Number) (Country) (Filing Date)

 Yes No

(Number) (Country) (Filing Date)

 Yes No

(Number) (Country) (Filing Date)

 Yes No

(Number) (Country) (Filing Date)

 Yes No

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Appln. Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Appln. Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Appln. Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Appln. Serial No.)	_____ (Filing Date)	_____ (Status)
_____ (Appln. Serial No.)	_____ (Filing Date)	_____ (Status)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

J. Rodman Steele, Jr.	Reg. No. 25,931
Gregory A. Nelson	Reg. No. 30,577
Joseph W. Bain	Reg. No. 34,290
Robert J. Sacco	Reg. No. 35,667
Stanley Kim	Reg. No. 42,730
Mark D. Passler	Reg. No. 40,764
Steven Greenberg	Reg. No. 44,725
Neil R. Jetter	Reg. No. 46,803
Larry G. Brown	Reg. No. 45,834
Kevin T. Cuenot	Reg. No. 46,283
Pablo Meles	Reg. No. 33,739
Ray Whitty	Reg. No. 47,176
Richard A. Tomlin	Reg. No. 24,449
Barbara S. Kitchell	Reg. No. 33,928

Send correspondence to Gregory A. Nelson, Akerman Senterfitt, 222 Lakeview Avenue, Fourth Floor, P.O. Box 3188, West Palm Beach, Florida 33402-3188 and direct all telephone calls to Gregory A. Nelson at (561) 653-5000.

FULL NAME OF INVENTOR: Barbara E. Ballard

INVENTOR'S SIGNATURE: *Barbara E. Ballard*

DATE: Sep 13, 2001

RESIDENCE:

~~3824 Walnut~~
~~Kansas City, MO 64111~~

421 Woodring Rd
Lecompton, KS 66050

CITIZENSHIP:

U.S.A.

POST OFFICE ADDRESS:

3824 Walnut
Kansas City, MO 64111

FULL NAME OF INVENTOR:

James R. Lewis

INVENTOR'S SIGNATURE: *James R. Lewis*

DATE: Sep 21, 2001

RESIDENCE:

4000 Majestic Palm Way
Delray Beach, FL 33445

CITIZENSHIP:

U.S.A.

POST OFFICE ADDRESS:

4000 Majestic Palm Way
Delray Beach, FL 33445

FULL NAME OF INVENTOR:

Kerry A. Ortega

INVENTOR'S SIGNATURE: *Kerry A. Ortega*

DATE: Aug 28, 2001

RESIDENCE:

1329 Woodmanor Drive
Raleigh, NC 27614

CITIZENSHIP:

U.S.A.

POST OFFICE ADDRESS:

1329 Woodmanor Drive
Raleigh, NC 27614

FULL NAME OF INVENTOR:

Ronald E. Van Buskirk

INVENTOR'S SIGNATURE: *Ron Van Buskirk*

DATE: 20 AUG 01

RESIDENCE:

323 S. Hoover Avenue
Louisville, CO 80027


CITIZENSHIP:

U.S.A.

POST OFFICE ADDRESS:

323 S. Hoover Avenue
Louisville, CO 80027

FULL NAME OF INVENTOR: Huifang Wang

INVENTOR'S SIGNATURE:  DATE: 13 Aug. 2001

RESIDENCE: 708 Russett Terrace
Sunnyvale, CA 94087

CITIZENSHIP: China

POST OFFICE ADDRESS: 708 Russett Terrace
Sunnyvale, CA 94087

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Date: October 9, 2001
Ballard, et al. : Group Art Unit: 2741
Serial Number: 09/610,061 : Examiner: Unassigned
Filed: July 5, 2000 : IBM CORPORATION
Intellectual Property Law
Title: SPEECH RECOGNITION CORRECTION : 8051 Congress Avenue
FOR DEVICES HAVING LIMITED OR NO : Internal Zip 4042
DISPLAY : Boca Raton, Florida 33487

ASSIGNEE'S CONSENT TO CORRECT INVENTORSHIP UNDER 37 CFR §1.48(a)

**The Honorable Commissioner of Patents and Trademarks
Washington, D. C. 20231**

Dear Sir:

I, Jeffrey L. Forman, am a representative authorized to sign on behalf of the assignee, INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM), of Armonk, New York. IBM certifies that it is the assignee of the entire right, title, and interest in the patent application identified above to IBM. copies of the assignments are attached.

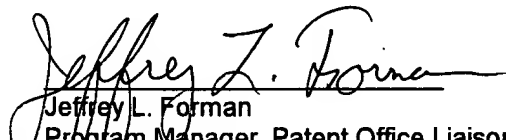
The undersigned has reviewed all of the documents in the chain of title of the patent application identified above and, to the best of the undersign's knowledge and belief, title is in the assignee identified above.

Assignee hereby consents tot he correction of inventorship wherein Charles Rutherford is being removed as a co-inventor of the invention described and claimed in the above identified patent application.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements, and the lie so made, are punishable by fine or imprisonment, or both under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. A statement under 37 C.F.R. 3.73(b) is attached.

Respectfully submitted,

By:


Jeffrey L. Forman
Program Manager, Patent Office Liaison
Washington
International Business Machines Corporation

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Washington, DC 20231

OCT 10 2001

Technology Center 2600

Sir:

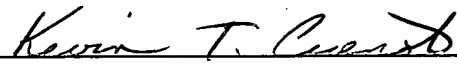
Please find enclosed for filing the following:

- ☒ Petition to Remove Co-inventor;
- ☒ Statement of Lack of Deceptive Intent;
- ☒ Statement Under 37 C.F.R. 3.73(b) with Written Consent of Assignee;
- ☒ New Executed Declaration and Power of Attorney under 37 C.F.R. 1.63;
- ☒ New Executed Assignment and Recordation Cover Sheet;
- ☒ Fee in the amount of \$130.00; and
- ☒ 1 postcard.

Please charge any underpayment or credit any overpayment to Deposit Account No. 50-0951. This transmittal letter is submitted in duplicate.

Respectfully submitted,

Date: 9/28/01


Gregory A. Nelson, Reg. No. 30,577
Kevin T. Cuenot, Reg. No. 46,283
Steven M. Greenberg, Reg. No. 44,725
AKERMAN SENTERFITT
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Docket No. 6169-103